

**MINUTES OF THE
WEBB COUNTY COMMISSIONERS COURT
MEETING OF FEBRUARY 11, 2002
LAREDO, TEXAS**

Let it be remembered that a regular meeting of the Webb County Commissioners Court was held at 9:00 a.m. at the regular meeting place with the following members present to wit:

Mercurio Martinez, Jr.
Jerry Vasquez
Judith Gutierrez
Felix Velasquez
Miguel Urdiales

County Judge
Commissioner Prct. #1
Commissioner Prct. #2
Commissioner Prct. #3
Commissioner Prct. #4

Thus constituting a quorum, the Commissioners Court proceeded to act upon the agenda notice as posted in the meeting notice of the 7th of February 2002. Present also were Selina G. Reyes, Deputy County Clerk, representing Mr. Henry Flores, Ex-Officio Clerk of the Commissioners Court, various officers and others interested in the business of the court.

02-02-121

1. Call to order – Judge Martinez
Invocation – Mr. Chuck Owen
Pledge of Allegiance – said by all

02-02-122

2. Minutes –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to accept the minutes as submitted.

02-02-123

3. Communications –

City of Laredo Fire/EMS call to Webb County for the month of January 2002.

Commissioner Gutierrez read a letter from a Ms. Noelia G. Avila, constituent from Oilton, Texas regarding possible funding for poetry contest.

Mr. Richard Gieser, concerned citizen came before the court to complain about Webb County pumping water from the Lake Casa Blanca for irrigation use.

The court agreed to have this matter checked out and look at options for the future of the pump.

Commissioner Urdiales stated his concerns in reference to the cleanliness and daily maintenance of the Webb County Community Action Agency Day Care Centers.

Ms. Cynthia Mares, Community Action Agency Director stated that they would appreciate the help of the Webb County Maintenance Department, also stating the need for more vans for the centers.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to move up item 02-02-126 6. – j. :

O’Boys / Parade Route –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to approve the placing of O’Boys at designated areas during the WBCA festivities.

Mr. Ricardo Palacios, Jr., addressed the court.

A motion was made by Commissioner Urdiales and seconded by Commissioner Vasquez with all voting “Aye”, in favor to move up item 02-02-126 6. – a. 1.:

Mrs. Rosie Centeno-Hinojosa came before the court to request a week of early voting for the residents of El Cenizo and Rio Bravo at Juarez-Lincoln Elementary School. This will be more convenient to the residents of those areas.

Resolution / Early and regular voting polling sites –

A motion was made by Commissioner Vasquez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to accept Juarez-Lincoln Elementary as a Early Voting Mobile Site.

02-02-124

4. Bills, Payroll and Monthly Reports –

Mr. Jorge Flores, Chief Deputy Treasurer presented his monthly report at this time.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to approve to pay the bills and payroll as presented.

Mr. Leo Flores, County Auditor presented his report at this time.

Ms. Patricia A. Barrera, Tax Assessor-Collector presented the M.V.D. and Ad Valorem reports at this time.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to accept all monthly reports as submitted.

02-02-123

3. Communications –

Mr. Bob Lauder, MGT Consulting Firm provided the court with a presentation and report on the Webb County Jail Feasibility Study.

The court expressed their concerns regarding the study.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to move up item 02-02-126 6. – a. (1.):

Early and Regular Voting Polling Sites –

Mr. John Becklehymmer, Election Administrator came before the court to present a resolution.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Velasquez with all voting “Aye”, in favor to accept a Resolution authorizing and establishing early and Regular Voting Polling Sites within Webb County, Texas for the Joint Democratic and Republican primary Elections, in accordance with Chapter 85, Texas Election Code (with changes made).

6. – a. (2.) Elections / Purchase of van –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Velasquez with all voting “Aye”, in favor to authorize the out-right purchase of one (1) 12 passenger van for the Elections Department amount not to exceed \$ 25,000 (funding source acct. 005-4981-NBC Bank- no impact to the General Fund).

6. – b. (1. & 2.) Webb County Treasurer –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to adopt the Webb County Investment Policy for 2002 in accordance with the public Funds Investment Act and;

Approve the following list of Financial Institutions authorized to sell Investments of Webb County for 2002:

Texpool, Logic MBIAA Class and Amherst Securities

6. – c. Webb County HeadStart –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to fill slot # 1992 (Child Adult Care Food Program Clerk) at \$ 7.00 an hour for 4 hours a day effective February 11, 2002.

6. – d. (1., 2.) Planning Department -

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to issue/ratify “Certifications regarding compliance with Plat Requirements and the connection of utilities” to authorize utility connections to the following properties:

Connection(s) qualifying under Section 232.029 (i), TLGC

Tract 53, Rachitos Los Arcos Subdivision (electricity –1 dwelling)

And; authorize the County Judge, County Attorney and the Planning Director to issue “Certifications regarding compliance with Plat requirement and connection of Utilities” until march 4, 2002, in order to fulfill the time requirement for county action Pursuant to State Law. Any certificate issued during this time period will be submitted for ratification by Commissioners Court.

6. – e. & f. Webb County Engineering / Road & Bridge -

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to advertise for bids for the repair of flood damages at the Justice Center on August 31, 2001 and;

Authorize the Road & Bridge Department to deliver to the City of Rio Bravo 150 yards of asphalt (the asphalt will be the same as that received from Texas Department of Transportation at no charge to the county. The state has been advised and is in agreement with this proposal).

6. – g. Deferred Items -
(1. & 2.)

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to defer the following items:

Action regarding dependent Life Insurance for Webb County Employee.

Action to modify the Sick Leave Pool.

6. – g. Rick Management Department -
(3. & 4.)

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to approve a 15 week “At work” Weight Watchers Program. This Wellness Program will be offered to Webb County Employees with the county employees with the county contributing \$ 79.50 of the \$ 159.00 total cost and;

Hire a TWCC approved Safety Consultant to comply with the Texas Worker’s Compensation Commission request relating to Workers Health and Safety issues; requesting an exemption from Section 262.023 Local Government Code (Competitive Bidding and Competitive Proposal Requirements) and authorizing the County Judge to execute all relevant documents.

6. – h. Parks and Grounds Department –

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to approve a cellular phone for Mr. Joe Gutierrez, Director of Parks and Grounds. (500 min.)

6. – i. Veteran’s Service Office –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to advertise and fill slot # 610 (Secretary / Receptionist at \$ 7.42 an hour effective 2-2202.

02-02-127

7. – a. Community Action Agency –
b. & c.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to fill slot#1439 (Social Services/CEAP Director – full time) at a salary range of \$ 32-34,000 (depending on qualifications) effective 2-11-2002 (funding from Community Services Block Grant for Fy 2002 – no the General fund) and;

Fill slot #1153 and 1155 (Social Services Coordinator-full time) at \$ 8.10 an hour effective 2-11-2002 (Funding from Community Services Block Grant for Fy 202-No impact on the General Fund) and;

Modify and fill the following slots effective 2-11-2002 (funding from Community Social Services Block Grant – no impact on the General Fund):

<u>Slot</u>	<u>From</u>	<u>To</u>
#1847	Social Service Clerk-PT/Temp.	Driver/Custodian @6.50 an hour – FT/ Temp.
#1848	Social Services Clerk – PT/Temp.	Driver/Custodian @ 6.50 an hour – FT/ Temp.
#1160	Center Aide/Custodian – FT/Temp.	Center Aide@ 6.50 an hour

7. – d. Texas Department of Housing and Community Affairs –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to accept the Fy 2002 allocation from Texas Department of Housing and Community Affairs (TDHA) for “Community Services Block Grant (CSBG) in the amount of \$ 425,907.00 (Grant period is from January through December 2002. The Community Services Block Grant is the general grant that provides for the administration and operations of the CAA. Funding covers all administrative personnel as well as center directors, and all operational expenses thereto that enable the agency to implement and execute programs that will ameliorate the causes of poverty).

7. – e. Modify Title –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to modify title of slot# 1116 from Secretary to Administrative Assistant for the Rural Transportation Program.

7. – f. Modify and fill slot –
& g.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to modify and fill slot #1134 for the Rural Transportation Program from Dispatcher Clerk (Ft) to Secretary (FT) at \$ 9.00 an hour (Funding source – Transportation Grant-No Impact on the General Fund) and;

Create and fill slot for Case Manager (FT) at \$ 10.58 an hour effective 2-11-2002 (funding source – Community Services Block Grant and Comprehensive Energy Assistance Program allocation for Fy 2002- No impact on the General Fund).

Note: CAA Advisory Board Executive Committee and Finance Committee have reviewed all items and recommend approval.

02-02-128

8. – a. Economic Development -
& b.

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to authorize the submission of a Grant Application in for “Community Outdoor Outreach Program” (Co-op). The amount for this project is \$ 30,000 with a county in-kind match of \$ 10,000. Authorization for County Judge to execute all relevant documents and;

Authorize the submission of Change Order# 1 for “Frontier Construction” to the U.S. Department of Housing and Urban Development (HUD) and Housing Colonia Initiatives (HCI) Program. Change Order # 1 will include utilizing CAA construct alternative items that pertain to Weatherization:

CAA-SHC-200-36 Maria E. Villanueva (El Cenizo) – reduction
in the amount of \$ 2,650.00

8. – c. Economic Development -

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to authorize the submission of Change Order #1 for “Noah’s Construction” to the U.S. Department of Housing and Urban Development (HUD) and Housing Colonia Initiatives (HCI) Program. Change Order #1 will include utilizing CAA Weatherization Program activities to construct alternative items that pertain to Weatherization:

CAA-SHC-2201-79 Oscar Innocencio (Mirando) –
reduction of \$ 600.00

- CAA-SHC-2201-80 Rafael Rodriguez (El Cenizo) –
reduction of \$ 600.00
- CAA-SHC-2001-81 Candelario Salazar (Mirando) –
reduction of \$ 600.00
- CAA-SHC-2001-82 Francisco Palizo (El Cenizo) –
reduction of \$ 650.00
- CAA-SHC-2001-83 Ernesto Salazar (Mirando) –
reduction of \$ 600.00
- CAA-SHC-2001-84 Francisco Moreno (El Cenizo) –
reduction of \$ 600.00
- CAA-SHC-2001-85 Nelson Ramos (Oilton) –
reduction of \$ 600.00
- CAA-SHC-2001-34 Gloria Romo (El Cenizo) –
reduction of \$ 600.00
- CAA-SHC-2001-35 Maria Sanchez (El Cenizo) –
reduction of \$ 600.00

8. – d. Submission of Contract Amendment –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Vasquez with all voting “Aye”, in favor to authorize the submission of Contract Amendment # 3 for the Housing Colonia Initiative (HCI) Contract # B-98-RH- Tx-003 to the U.S. Department of Housing and Urban Development for a budget modification to re-allocate \$324.00 from the Tool Library line-item and \$ 27,877.00 from the Administrative line-item into Housing Rehabilitation line-item in order to successfully complete all activities within the project (Contract Amendment will be at no additional cost to the county).

8. – e. Self-Help Center / Fill Slots –

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to fill slot #1620, 1621 and 1622 (Fence relocation Laborer – full-time temp.) for the Self-Help Center at an hourly salary of \$ 6.50 an hour funded by the Texas Department of Housing and Community Affairs Office of Colonia Initiatives (Self-Help Program – Fund # 504).

02-02-129

9. – a. Purchase / Safety Deposit Boxes –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to purchase 126 Safety Deposit boxes for the Law Enforcement Center from Diebolds Ins., in the amount of \$ 6,480.00 (acct. 624-8000 8601-3 Construction in progress).

9. – b. Award Bids –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to award the following bids:

Bid # 2002-41 “Food Service Equipment and supplies for Law Enforcement Center”.

Recommendation: Cook’s Correctional Kitchen Equipment
\$ 45,094.98
Utensils \$ 2,384.41

Total \$ 47,479.39

9. – c. Purchase / Drive Motor -

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to purchase one (1) Drive Motor #59949263 for 200 Ingersol Roll #10-92 from Nueces Power Equipment in the amount of \$ 6,691.53 for the Road & Bridge Department.

9. – d. Purchase / Mobile and Portable Radios –

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to purchase mobile and portable radios to include accessories from Autophone of Laredo in the amount of \$ 24,434.00 for the following departments:

County Attorney	2 portable w/single unit charges w/spare batteries Special Account Fund
Constable Reyes	1 portable w/single unit charges w/spare batteries And 1 mobile radio-Special Account Fund
Road & Bridge	7 Motorola Maratrack Mobile Radio-Fund 010-7002-6205
Constable Hinojosa	9 portable radios w/single unit chargers w/spare batteries and I mobile radio-Fund #166-255-8801

02-02-130

10. – b. Cause No. DC-99-293 –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Velasquez with all voting “Aye”, in favor to acknowledge the dismissal of Cause No. DC-99-293; Ericka Balderas and Catherine Balderas, individually and a/n/f for Erick Balderas and Clarissa Lizette Balderas, minor children, Plaintiffs vs. Bud Walker, Defendant; in the 229th Judicial District Court of Duval County, Texas.

10. – c., d. & e. Agreements –

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to approve the following Agreements:

Equipment Lease Agreement with Kyocera Mita America, Inc. for a Kyocera/Mita America, Inc., for a Kyocera/Mita copier to be located at the Webb County Constable Precinct 1 Office for a 36 month lease (Feb.1, 2002 through 1/31/2005) in the amount of \$ 262.53 per month and authorize the Webb County Judge to execute all relevant documents and;

Enter into a Maintenance Agreement with Nevill Business Machines, Inc., for a Kyocera/Mita copier to be located at the Webb County Constable Pct. 1 office for a 36 month lease (Feb.1, 2002 through 1/31/2005) in the amount of \$ 40.00 per month and authorize the County Judge to execute all relevant documents and;

Approve a Professional Agreement with CJUS Consultants Int’l, Inc., and Clifford M. Black, Ph.d, to coordinate Webb County Arrestee Drug Monitoring (ADAM) Drug Data Collection and Interagency Cooperation Programs for the prevention, treatment, elimination of illegal drug use in Webb County. The term of the Agreement is one year beginning October 1, 2001 for a total cost not to exceed \$ 45,000 inclusive of costs. Action of Commissioners Court to order an exemption from Competitive Bidding as a Professional Service. Authorization for County Judge to execute all relevant documents and any matters incident thereto.

10. – g. Payment / Law Offices of Guajardo & Guajardo -

A motion was made by Commissioner Vasquez and seconded by Commissioner Velasquez with all voting “Aye”, in favor to authorize the payment to the Law Offices of Guajardo & Guajardo and the Law Offices of Rolando L. Rios in the amount of \$ 5,000 each (\$ 10,000 total) pursuant to the Redistricting Contract and to pay an additional \$ 6,000 each (\$ 12,000 total) law firm for additional work performed and completed seeking pre-clearance of all changes necessitated by the Federal Court order in Balderdash v. Texas with The Department of Justice and any matters incident thereto.

10. – h. Transfer of vehicle –

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to transfer the following vehicle from the Office of Precinct one Constable Raul Hinojosa , to the Office of the Webb County Attorney, Homero Ramirez;

1991 Chevrolet Caprice, Vehicle # 1413
License # 601-916
Vin. # 1G1BL5370MR132370

**Approved with stipulation.

02-02-125

5. Proclamations –

A motion was made by Commissioner Vasquez and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to a Proclamation for Texas Department of Transportation “Career Day”.

12:00 P.M.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to go into Executive Session for the following items:

10. – a. } Communication and update regarding the Contract between Webb County and CCA on the \$ 2.00 per non-county inmates issue pursuant to the contract that expired on June 30, 2001

10. – f. } Action regarding charge of discrimination # 360A200392 filed with the United States Equal Employment Opportunity Commission by former Law Librarian Jose Emilio Gonzalez, Jr.

*****EXECUTIVE SESSION*****

12:10 P.M.

The court returned to regular session and Judge Martinez stated that no action had been taken in Executive Session.

10. – a. –

A motion was made by Commissioner Urdiales and seconded by Commissioner Gutierrez with all voting “Aye”, in favor to authorize the County Attorney to send a letter to CCA requesting prisoner records, in order to find out sums owed to Webb County as a result of the Operations Agreement of 1999.

10. – f. – No action needed on this item.

A motion was made by Commissioner Gutierrez and seconded by Commissioner Urdiales with all voting “Aye”, in favor to adjourn the meeting.

